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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/627,741	07/28/2000	Jean Francois Le Pennec	FR9-1999-0108-US1	2788

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EXAMINER

EDELMAN, BRADLEY E

ART UNIT PAPER NUMBER

2153

DATE MAILED: 10/01/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/627,741

Applicant(s)

LE PENNEC ET AL.

Examiner

Bradley Edelman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

This action is in response to Applicant's amendment and request for reconsideration filed on July 16, 2003. Claims 1-10 are presented for further examination. Claims 1-10 have all been amended.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Baber et al. (U.S. Patent No. 6,195,696, hereinafter "Baber").

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art

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under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

In considering claim 1, Baber discloses a server assisted system for accessing web page fields in which system a wireless PDA communicates with an Internet network through a wireless Internet gateway (col. 10, lines 12-18; col. 11, lines 18-29; col. 1, lines 16-17, wherein the "intranet" disclosed "may or may not connections to the outside Internet" and wherein the use of a PDA and/or smartphone to access the Internet necessarily uses wireless communication with a wireless Internet gateway), said server assisted system comprising:

A portal server coupled to the wireless Internet gateway and having a configuration for accessing resources of the Internet network, said portal server comprising a user data base containing at least identifying information enabling fields of web pages which have been graphically selected by a user of the wireless PDA to be retrieved, and portal handling means for accessing said selected web page fields (col. 9, lines 46-67; col. 11, lines 18-30, col. 14, lines 15-29, Figs. 19-20; also col. 13, lines 31-36, 53-56, and Figs. 12 and 14, demonstrating that a user can graphically select the fields by graphically selecting a preferred setting for the Web information, which is inherently associated with particular fields); and

Portal browsing means disposed in said wireless PDA, said portal browsing means comprising a configuration for browsing said selected web page fields and retrieving at least one of said selected web page fields, and displaying means disposed in the wireless PDA and having a configuration for displaying said retrieved web page field in the wireless PDA (col. 10, lines 12-18, wherein the browser in the PDA will inherently configure the data for display).

In considering claim 2, Baber further discloses a portal real time server for accessing resources of said Internet network and for retrieving from said servers web page fields requested by said portal browsing means (col. 11, lines 55-60, "server-push;" col. 13, lines 24-26, "stock ticker").

In considering claim 3, Baber further discloses a portal back server for periodically updating defined web page fields stored in the data base (col. 11, lines 54-59).

In considering claim 4, Baber further discloses that the portal real time server comprises a configuration for accessing the user data base before accessing the resources of the Internet network to determine whether said web page fields requested by said portal browsing means are within the defined web page fields being periodically updated (col. 11, lines 46-60, wherein the server can update the selected fields every time a user logs in the server, if the contents then need updating).

In considering claim 5, Baber further discloses that the system includes a PC web browser for accessing the resources of said Internet network, and for browsing web pages selected by a user, and a portal configuration for configuring selected web page fields before transferring them to said portal server, and wherein the portal server includes a user database builder for storing at least identifying information relating to the web page fields into the user database (col. 10, lines 13-29; col. 12, lines 4-21).

In considering claim 6, Baber further discloses that the system includes a PDA web browser for accessing the resources of said Internet network, and for browsing web pages selected by a user, and a PDA configuration for configuring selected web page fields before transferring them to said portal server, and wherein the portal server includes a user database builder for storing at least identifying information relating to the web page fields into the user database (col. 10, lines 13-29; col. 12, lines 4-21).

In considering claim 7, Baber further discloses that the PC web browser has means for accessing a URL address of a selected web page, and means for selecting at least one of said URL web page fields, and means for converting the selected URL web page fields into a format for being stored in the data base (col. 9, lines 46-62; col. 10, lines 12-24; col. 12, lines 5-21; wherein users select desired fields (i.e. units of content) to retrieve from URLs, and those fields can be converted to fit the format of the user device, and stored in the user and component database).

In considering claim 8, Baber further discloses that the PDA web browser has means for accessing a URL address of a selected web page, and means for selecting one or several fields in the URL web page, and means for converting the selected URL web page fields into a format for being stored in the data base (col. 9, lines 46-62; col. 10, lines 12-24; col. 12, lines 5-21; wherein users select desired fields (i.e. units of content) to retrieve from URLs, and those fields can be converted to fit the format of the user device, and stored in the user and component database).

In considering claim 9, Baber further discloses that the portal browsing means in the PDA includes input means for selecting at least one web page field stored in the user data base of the portal server in order to display said at least one web page field in said PDA display means (col. 13, lines 20-30, wherein a user can click on "stock ticker" button to display the stock ticker field).

In considering claim 10, Baber further discloses that the input means includes means for modifying the at least one web page field being displayed by said PDA display means to view only one field among said at least one web page field previously displayed (col. 13, lines 39-67, wherein users can modify the content templates to view any particular desired fields).

Response to Arguments

Applicant's arguments submitted on July 16, 2003 are relevant only to the claims as presently amended, and not to the claims as originally filed. Nonetheless, Examiner has considered these arguments. Applicant's primary argument is the following:

The presently claimed invention requires that content designated for the portal page can be selected graphically by the user, wherein the Baber reference only allows selection by the server or administrator.

Examiner respectfully disagrees with this assertion. Col. 13, lines 31-33 states, "Fig. 12 illustrates that a user can change which profile is active, which in turn determines how the content page is displayed." Fig. 12 clearly displays a graphical method for allowing the user to select among these profiles. Thus, by the user selecting a profile, the user selects which fields and which content will be displayed. Col. 9, lines 59-63 further provides, "in addition, a content page creation profile may designate one or more 'user-modifiable' areas of a content page that allow a user to modify what units of content are displayed within a content page." This further reinforces the capability of the Baber system to allow graphical user selection of content to be displayed within the web page. Accordingly, the presently claimed invention is anticipated by Baber.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Note:

The newly cited Sugiarto reference (U.S. Patent No. 6,278,449) discloses a similar system for allowing a user of a PDA to configure a profile at a server by graphically selecting fields of a web page to be displayed within the PDA.

Newly cited references Katariya et al. (U.S. Patent No. 6,564,251) and Peterson et al. (U.S. Patent No. 6,594,682) additionally disclose web page customization systems for allowing users to select content for display on a web page by changing a user profile.

Newly cited reference Nehab et al. (U.S. Patent No. 6,029,182) discloses a client-side filter and profile system for allowing a user to select desired content to display in a web page.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Edelman whose telephone number is (703) 306-3041. The examiner can normally be reached on Monday to Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on (703) 305-4792. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

For all After Final papers: (703) 746-7238.

For all other correspondences: (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


GLENTON B. BURGESS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

BE
September 22, 2003